

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Richi Briones,
Plaintiff

v.

Joe Lombardo, et al.,
Defendants.

Case No. 2:25-cv-00129-JAD-EJY

ORDER

Before the Court are Plaintiff's Complaint (ECF No. 1-1), Notice to Add One Additional Claim (ECF No. 3), and Motion to Add New Defendants (ECF No. 7). The Court will not piecemeal Plaintiff's Complaint together from multiple filings. Plaintiff's operative Complaint must contain all claims, defendants, and factual allegations that Plaintiff wishes to pursue in this lawsuit. Furthermore, under Nevada Local Rule of Civil Practice 15-1, when a party seeks to file an amended pleading, the party "must attach the proposed amended pleading to a motion seeking leave of the court to file an amended pleading." Nev. Loc. R. 15-1.

Because Plaintiff's Notice to Add One Additional Claim (ECF No. 3) is not a properly filed motion seeking leave to file an amended complaint, the Court strikes the notice from the docket. Because Plaintiff's Motion to Add New Defendants (ECF No. 7) does not include a complete proposed first amended complaint, the Court denies the motion without prejudice. However, the Court gives Plaintiff leave to file a single, complete, first amended complaint on or before **June 20, 2025**. If Plaintiff does not file a complete first amended complaint, the Court will screen the initial Complaint without considering any allegations in Plaintiff's Notice to Add One Additional Claim or his Motion to Add New Defendants.

If Plaintiff chooses to file an amended complaint, he is advised that an amended complaint supersedes (replaces) the original complaint, and, thus, the amended complaint must be complete in itself. *See Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989) (holding that "[t]he fact that a party was named in the original complaint is irrelevant; an amended pleading supersedes the original"); *see also Lacey v. Maricopa Cnty.*, 693 F.3d 896, 928

1 (9th Cir. 2012) (holding that for claims dismissed with prejudice, a plaintiff is not required to reallege
2 such claims in a subsequent amended complaint to preserve them for appeal). Plaintiff's amended
3 complaint must contain all claims, defendants, and factual allegations that Plaintiff wishes to pursue
4 in this lawsuit.

5 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to strike
6 Plaintiff's Notice to Add One Additional Claim (ECF No. 3) from the docket.

7 IT IS FURTHER ORDERED that Plaintiff's Motion to Add New Defendants (ECF No. 7)
8 is DENIED without prejudice. Plaintiff may file a complete first amended complaint, including all
9 claims he wishes to pursue in this case on or before **June 20, 2025**.

10 IT IS FURTHER ORDERED that if Plaintiff does not file a first amended complaint on or
11 before **June 20, 2025**, the Court will screen Plaintiff's Complaint (ECF No. 1-1) without considering
12 any of the allegations in his Notice to Add One Additional Claim or his Motion to Add New
13 Defendants.

14 IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved
15 form for filing a § 1983 complaint, instructions for the same, and a copy of his original Complaint
16 (ECF No. 1-1), Notice to Add One Additional Claim (ECF No. 3), and his Motion to Add New
17 Defendants (ECF No. 7).

18 Dated this 21st day of May, 2025.

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21 ELAYNA J. YOUCHAK
22 UNITED STATES MAGISTRATE JUDGE
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